

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EON CORP IP HOLDINGS LLC,
Plaintiff,
v.
APPLE INC.,
Defendant.

Case No. [14-cv-05511-WHO](#)

**ORDER REQUIRING ADDITIONAL
BRIEFING**

Re: Dkt. No. 176

Currently before me is the parties' dispute over whether Apple should be compelled to produce documents from three prior cases. Dkt. No. 176. I find that additional briefing is necessary to resolve the dispute.

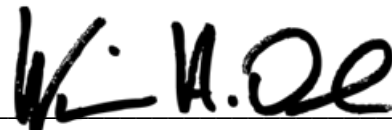
By **May 31, 2016**, plaintiff shall file a brief not exceeding 10 pages defining the appropriate "technological nexus" and showing the technological nexus between the two patents at issue here and the patent claims *actually litigated* in the *VirnetX Inc. v. Apple Inc.*, No. 6:12-cv-00855-RWS, *Unwired Planet, LLC v. Apple Inc.*, No. 13-cv-04134-VC, and *SimpleAir, Inc. v. AWS Convergence Technologies, Inc.*, et. al., No. 2-09-cv-00289 cases. If plaintiff contends, in the alternative, that discovery is nonetheless appropriate under the traditional Rule 26(b) standard, plaintiff shall identify with specificity each category of documents it believes meets that standard and why. Plaintiff shall provide citations to the dockets of the three cases to support its arguments.

By **June 7, 2016**, defendant shall file a response not exceeding 10 pages, defining the appropriate "technological nexus" and responding to plaintiff's arguments. To the extent Apple relies on a burden argument (assuming plaintiff makes a showing of relevance under the technological nexus or Rule 26(b) standards), it must show why production would be *unduly*

1 burdensome. I will take the matter under submission, unless I determine that oral argument is
2 necessary.

3 **IT IS SO ORDERED.**

4 Dated: May 24, 2016

5 

6 WILLIAM H. ORRICK
United States District Judge